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August 24, 1993

VIA HAND DELIVERY

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, DC 20554

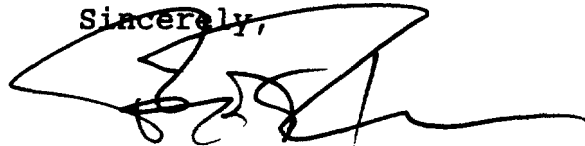
Re: MM Docket 93-106

Dear Mr. Caton:

Transmitted herewith on behalf of Spokane Falls Community College, Spokane Community College and Gonzaga University Telecommunications Association (collectively, the "Spokane Educators") is the attached letter for inclusion in the above referenced docket. As you will note, the letter indicates that the Spokane Educators support the compromise reached by various parties to facilitate the use of channel loading by ITFS applicants and licensees.

Please communicate directly with the undersigned should there be any questions or need for additional information in the matter.

Sincerely,



Robert J. Rini

cc: Attached Service List
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

August 19, 1993

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William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM Docket No. 93-106

Dear Mr. Caton:

Spokane Falls Community College, Spokane Community College and Gonzaga University Telecommunications Association, licensees of ITFS stations in Spokane, Washington (collectively, the "Spokane Educators"), hereby submit this letter concerning the above referenced docket. The Spokane Educators support the compromise (attached hereto) on channel loading reached by the ITFS Association, Wireless Cable Association, various wireless cable operators and educators.

The Spokane Educators initiated this proceeding when they first requested waiver of various FCC rules to permit channel loading in lieu of the use of costly channel mapping equipment. The Spokane Educators continue to believe that as educators, they are capable of determining how best to meet their needs through the scheduling of programming. In their waiver requests, the Spokane Educators specifically noted that they retained the right to recapture airtime on other channels when necessary to meet their needs. The compromise does not impair this right.

The Spokane Educators urge the Commission to act promptly to authorize channel loading and make clear that no educator will be penalized at renewal should it elect to channel load.

Respectfully submitted,

**SPOKANE FALLS COMMUNITY
COLLEGE**

By: 

SPOKANE COMMUNITY COLLEGE

By: 

**GONZAGA UNIVERSITY
TELECOMMUNICATIONS ASSOCIATION**

By: 

COMPROMISE ON CHANNEL LOADING

Pending the technical and economic viability of digital compression technology, the Commission will permit channel loading and system-wide scheduling on the following basis:

1. Each ITFS licensee will be required to preserve for immediate use or ready recapture at least forty hours per week per licensed channel for the transmission of ITFS programming (including the right to recapture simultaneous use of airtime on the number of the channels for which it is licensed). These rights cannot be abridged by contract and any contracts that do so are superseded. There will be no reduction whatsoever in the amount of mandatory ITFS programming from the current rules.
2. Each ITFS licensee will be required to actually transmit at least twenty hours (twelve hours for the first two years of operation) of ITFS programming each week for each channel licensed to it. Each ITFS licensee will be permitted to load programming satisfying this requirement on less than all of the channels for which it is licensed. The minimum programming requirement (*i.e.* hours 1-20) must be met by transmissions on the channel(s) licensed to the ITFS licensee.
3. In order to promote realization of the benefits of system-wide planning of program schedules, ITFS licensees that choose to do so may agree to the transmission over any MDS or ITFS channel in the system programming satisfying the minimum recapture requirements (*i.e.* hours 21-40). By carefully coordinating their programming schedules as part of a system, the ITFS licensees in an area could create full time educational channels and provide their wireless cable partner with the maximum number of full time commercial programming channels (thus obviating the need for channel mapping technology), while still preserving the ability of the ITFS licensees to transmit multiple programs simultaneously.
4. Leasing and scheduling by ITFS applicants/licensees consistent with the above will establish that the applicant/licensee needs its channel capacity and entitle the applicant/licensee to an initial or renewed license. No demerit for channel loading or system-wide scheduling will be imposed under the Commission's system for selecting from among mutually-exclusive applicants, nor will channel loading or system-wide scheduling have adverse consequences for a renewal application.
5. Similarly, leasing and scheduling by ITFS applicants/licensees consistent with the above will not serve as a basis for future efforts to seek reallocation of non-loaded ITFS spectrum for commercial use, and the parties to the compromise agree not to seek any such reallocation.

CERTIFICATE OF SERVICE

I, Patricia Moser, an administrator with the law firm of Rini & Coran, P.C. do hereby certify that on this 24th day of August 1993, I have caused to be served a copy of the foregoing document by hand delivery (indicated with *) or by U.S. first-class mail, postage pre-paid, on the following:

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